

AMENDED IN ASSEMBLY APRIL 9, 2008
AMENDED IN ASSEMBLY MARCH 25, 2008
CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 2098

Introduced by Assembly Member Krekorian
(Coauthors: Assembly Members Huffman and Portantino)
(Coauthor: Senator Romero)

February 19, 2008

An act to amend Section 599f of the Penal Code, relating to animals.

LEGISLATIVE COUNSEL'S DIGEST

AB 2098, as amended, Krekorian. Animals: nonambulatory: cruelty.

Existing law prohibits a nonfederally inspected slaughterhouse, stockyard, or auction from buying, selling, or receiving nonambulatory animals, as defined.

This bill would instead prohibit a slaughterhouse from processing or butchering, or selling meat or products of, nonambulatory animals for human consumption.

Existing law also prohibits a slaughterhouse, stockyard, auction, market agency, or dealer from holding a nonambulatory animal without taking immediate action to humanely euthanize the animal or remove the animal from the premises. Existing law makes a violation of those provisions a misdemeanor.

This bill would revise and recast those provisions. It would prohibit a slaughterhouse from holding a nonambulatory animal without taking immediate action to humanely euthanize the animal. It would also require a stockyard, auction, market agency, or dealer, holding a nonambulatory animal, to take immediate action to either humanely

euthanize the animal or provide immediate veterinary treatment. The bill would also increase the penalties for these crimes, making them punishable ~~as either a misdemeanor or a felony by imprisonment in a county jail for a period not to exceed one year, by a \$20,000 fine, or by both that fine and imprisonment~~, as specified. By changing the scope of crimes, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 599f of the Penal Code is amended to
2 read:
3 599f. (a) No slaughterhouse shall process or butcher a
4 nonambulatory animal for human consumption.
5 (b) No slaughterhouse shall sell meat or products of
6 nonambulatory animals for human consumption.
7 (c) No slaughterhouse shall hold a nonambulatory animal
8 without taking immediate action to humanely euthanize the animal.
9 (d) No stockyard, auction, market agency, or dealer shall hold
10 a nonambulatory animal without taking immediate action to
11 humanely euthanize the animal or to provide immediate veterinary
12 treatment.
13 (e) While in transit or on the premises of a stockyard, auction,
14 market agency, dealer, or slaughterhouse, a nonambulatory animal
15 may not be dragged at any time, or pushed with equipment at any
16 time, but shall be moved with a sling or on a stoneboat or other
17 sled-like or wheeled conveyance.
18 (f) A violation of this section is subject to imprisonment in the
19 ~~state prison~~ *county jail for a period not to exceed one year*, or by
20 a fine of not more than twenty thousand dollars (\$20,000), or by
21 both that fine and imprisonment, ~~or alternatively, by imprisonment~~
22 ~~in a county jail for not more than one year, or by a fine of not more~~
23 ~~than twenty thousand dollars (\$20,000), or by both that fine and~~
24 ~~imprisonment.~~

1 (g) As used in this section, “nonambulatory” means unable to
2 stand and walk without assistance.

3 (h) As used in this section, “animal” means live cattle, swine,
4 sheep, or goats.

5 (i) As used in this section, “humanely euthanized” means to kill
6 by a mechanical, chemical, or electrical method that rapidly and
7 effectively renders the animal insensitive to pain.

8 SEC. 2. No reimbursement is required by this act pursuant to
9 Section 6 of Article XIII B of the California Constitution because
10 the only costs that may be incurred by a local agency or school
11 district will be incurred because this act creates a new crime or
12 infraction, eliminates a crime or infraction, or changes the penalty
13 for a crime or infraction, within the meaning of Section 17556 of
14 the Government Code, or changes the definition of a crime within
15 the meaning of Section 6 of Article XIII B of the California
16 Constitution.